

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

FILED

William DEAN Merriweather Jr.

[You are the PLAINTIFF, print your full name on this line.]

v.

Capt. RYAN TAYLOR - Porter Co. Jail

[The DEFENDANT is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

APR 17 2017

At
ROBERT N. TRGOVICH, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Case Number _____

[For a new case in this court, leave blank.
The court will assign a case number.]

2:17 CV 168

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	[Put the defendant named in the caption in this box.] Administrative Officer in Charge of Computer <u>Capt. RYAN TAYLOR Porter County</u>	Porter County Jail 2755 St Rd 49 VALPARAISO, IN 46383
2	[Put the names of any other defendants in these boxes.] Administrative Officer in Charge of Jail <u>COMMANDER STEVE LAWENCE Porter Co.</u>	Porter County Jail 2755 St Rd 49 VALPARAISO, IN 46383
3	Porter County Public Defender Computer Owner/Provider <u>KENNETH B. ELWOOD HEAD P.D.</u>	3200 Willow Creek Road Suite A Portage, IN 46368

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 4

2. What is the name and address of your prison or jail? Porter County Jail
2755 St Rd 49 VALPARAISO, IN 46383

3. Did the event you are suing about happen there? ☒ Yes. ☐ No, it happened at: _____

4. On what date did this event occur? it's BEEN CONTINUAL EVENTS (See Attached)
12-23-17

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

Attachment to

#4 Defendant:

NAME: Sgt. Paul SciARRA

Job: Porter County Jail Liaison of Law Library / Commissary

Address: Porter County Jail
2755 State Road 49
Valparaiso, IN 46383

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. * Capt. Ryan Taylor, Jail Administrator was in charge of the Law Library Computer at the Jail with the settings & operation of Daily Management with service of Systems up keep. On Jan. 19, 2017 I was given 16 Disc by Jail Staff of my Case Discovery, which I was a Pro Se litigant in this case. So the same day I received the 16 CD's & DVD's at the Porter County Jail's Law Library. I reviewed the content of the Case Discovery Evidence to study it, by simply loading the CD's & DVD's into the computer's Disc Driver only & waiting for window to open & DOAS system says to open. But I later found out that the computer system was automatically downloading & saving everything from the Disc & the Case Discovery with privilege information & evidence was exposed in plain view to anyone utilizing this system without any disc in the driver, completely breaching my Attorney-Client Confidentiality affecting my due process of law with fair & equal opportunity becoming irreparable damages. Computer system also neglected to provide Pro Se litigants with standard basic material needed to litigate a case, intentionally deprivation of Pro Se litigants. Capt. Taylor subjected me to cruel & unusual punishment with poor living conditions & harmful environment inmates was involving themselves in my case that I didn't know & state was negotiating with them. I was racially classified & discriminated against by him. He classified white inmates differently from black inmates. He placed me in his MAX. Pod

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

Claims and Facts (continued)

Where he places Most Black inmates into & treated completely Different from white population. No T.V. but we could pay for a movie, I was charged with outside case & punished inside Jail Both punishments subjected on ME & white inmates is found with contraband & Medication but treated Differently. Capt. Taylor also did not follow protocol or Chain of Command with found Evidence remaining in it's Original form Violating Logging & handling procedure which I have Photo Proof of Tamped Evidence. Jail's walls leaks water into my Sleeping Area with Black mold in Shower & Bed Area, I wake up wet from Rain Outside. Jail is so Over crowded that it's (3) MEN to a cell & forcing someone to sleep on the floor, I've been assigned to the floor on SEVERAL occasion subjected to cruel & unusual punishment

2. * Commander Steve LAWENCE Jail Administrator was in charge of the Jail's Staff & Operations including Law Library & the computer system which exposed my Pro Se litigant case Personal Evidence discovery to Jail's population. Mr. LAWENCE is directly correlated & cooperator with Porter County Jail Staff of misconduct & violations of constitutional values; from denial of legal copy's, legal Directory, Law Library usage, & standard materials needed to Pro Se litigants, these denials has create & caused Mr. Merriweather a intentional unfair disadvantage of litigation & severe harm to the Due Process of Law. Mr. LAWENCE was aware of Law Library Computer Automatically Saving & Exposing my case Discovery Evidence & neglected to address the matter until after it had caused Mr. Merriweather irreparable harm to his Due process of law & constitutional rights which Grievance process action was Delayed for this Urgent matter of immediate attention to fix Law Library Computer from Exposing Evidence & breaching confidentiality. Mr. LAWENCE also engaged in the tamping of evidence on Oct. 26, 2016 which photos & Police reports will prove this violation. He was aware of Living Condition & Jail's

Overcrowdness passing it's standards for capacity that the Jails Building was constructed for. Black mold in Shower Area, Stagnant water & Black Mold are in cell sleeping AREAS, Also water pours in my cell wall while I'm sleeping at night onto my Head & Bed area threw the wall, He allows the Daily Violation of Operations & He knows & concurs with.

3. * Porter County Attorney KENNETH B. Elwood Head of Public Defenders Office, He was in Charge of Providing & Suppling the law library Computer System, which his Knowledge of law He knows the Standard Material to be provided for A PROSE litigant to properly litigate A Criminal Case. He intentionally denied the Access of Basic Materials needed by Not having Rules of Evidence, Trial Rules, Rules of Criminal Procedures, I.C. Statues, Legal Dictionary & Directory, Case laws, & Motion templates, in computer Systems Software Nor having Access to Materials which affected My DUE process of Law & Making A unfair Advantage for the States Benefit. The Same computer System Setting was Automatically Saving Data from my Case Discovery & Exposing Evidence to Jails population with No Disc in the Driver CAUSING ME HARM to my person & Breaching my Attorney - Client Confidentiality, CREATEING further unfair & unequal litigation matters of serious constitutional violations. Mr. Elwood is responsible for the law librarys Computer Systems Settings & Service of Systems Standard Operations & Content of Legal Materials. His Office did final provide A New Software system after My Case Discovery was already Exposed & litigation was in FINAL stage SO I NEVER had access to these missing materials ~~that~~ during my litigations

4. * Sgt. Paul Sciarra Porter County Jail was assigned as the Law Library Liaison but no Officer is Directly assigned to the Daily Care & Supervision of Service or Operations of computer System with Monitored Law Library Room. Short Staffed is Not a Excuse to deliberately Deny Indigent ProSe litigants Access to Basic Standard Materials of Legal Assistance. Mr. Sciarra is involved with his office - Commissary & Mr. Hinshaw Both has Denied Mr. Merriweather legal Addresses & Phone #, Denied him legal copy of court Motions & legal Documentations, I was Denied Access to utilize the law librarys Facility, Denied also Assistants to mailing & paying for legal mails postage, which denial caused a delay in untimely MANNER with Deadlines. Denied I.C. code of State Statues, I was Denied my Original Booking Charging information & why I was 1st Arrested?. Policy & Guildlines for handling & logging Evidence with protocol & Chain of command of Jails Staff was all Denied on numerous occasions requested by Mr. Merriweather in litigation with his legal matters.

\$123.49 of unopened commissary & 197.38 of opened commissary was taken from my Property tote the day Staff tricked me out of my cell All my commissary came up missing, Detectives & Staff was last in Cell. Commissary has also been tricking me out my money on trust account by the monopoly of its MANNER, being the only provider. item of sample are sold to me, items that state Not for individual sales are sold to me, items without a bar code are being sold to me. Package Deal Manipulation is being done & sold to me for example: \$1.51 Sweet n low 100ct Box is opened & sold as 10 ct packages for .86 Totaling \$8.60, \$1.98 Dial Soap 3 pk are split up & sold individually ~~and~~ for \$1.79 Totaling \$5.37, \$1.99 #10 Envelope 100ct sold individually for .36 & Totaling \$36.00, Medications 2 tab sample packs & 100ct are sold individually for .53, open individual Batterys, so many more Extreme Price Manipulation is being done & affecting me while commissary Dept. Allows this on trust account Robbery by them.